

Regular Session, 2010

HOUSE BILL NO. 606

BY REPRESENTATIVE ELLINGTON

ANIMALS/LIVESTOCK AT LG: Provides for the prohibition of swine running at large

1 AN ACT

2 To amend and reenact R.S. 3:2891, 2892, and 2896, relative to swine running at large; to
3 remove certain exceptions to running at large, seizure and impoundment, and
4 liabilities; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 3:2891, 2892, and 2896 are hereby amended and reenacted to read
7 as follows:

8 §2891. Swine prohibited from running at large

9 ~~Except in the Sabine River Swamp in ward 1 and all of ward 2 of Beauregard~~
10 ~~Parish, in the Little River area north of Catahoula Lake in Grant Parish and LaSalle~~
11 ~~Parish south of Highway 84, in wards 1, 2, 3, and 4 of LaSalle Parish, in that area of~~
12 ~~Allen Parish, ward 5, west of the Calcasieu River, in wards 1, 2, 3, 5, 6, and 8 of~~
13 ~~Vernon Parish, in the Catahoula Lake area of Catahoula Parish, and in the parishes~~
14 ~~of Winn, Union, St. Tammany, Livingston, St. Helena, Cameron, and Caldwell,~~
15 ~~except wards 1, 2, 7 and 8 of Caldwell Parish, and state representative district 27~~
16 ~~unless a referendum of the people is held to approve it no~~ No person owning swine
17 shall knowingly, willfully, or negligently permit his swine to run at large upon public
18 property or upon private property of another person.

19 §2892. Impoundment of swine running at large; notice to and recovery by owner

20 Any landowner or lessee, or their agents, employees, or representatives or the
21 sheriff, constable, or other police officer of any parish, ward, or municipality may

seize any swine found unaccompanied by its owner or keeper and running at large on any public or private property. These swine so seized shall be impounded and the citizen or officer so seizing and impounding the swine shall cause the owner or keeper thereof, if known, to be notified personally or by leaving written notice at the place of his residence within twenty-four hours after the seizure, and the owner or keeper of the swine may forthwith claim the swine upon the payment of the fees hereinafter specified. ~~The provisions of this section shall not apply in the Sabine River Swamp in ward 1 and all of ward 2 of Beauregard Parish, in the Little River area north of Catahoula Lake in Grant Parish and LaSalle Parish south of Highway 84, in wards 1, 2, 3, and 4 of LaSalle Parish, in that area of Allen Parish, ward 5, west of the Calcasieu River, in wards 1, 2, 3, 5, 6 and 8 of Vernon Parish, in the Catahoula Lake area of Catahoula Parish, and in the parishes of Winn, Union, St. Tammany, Livingston, St. Helena, Cameron and Caldwell, except wards 1, 2, 7 and 8 of Caldwell Parish, and state representative district 27, unless a referendum of the people is held to approve it.~~

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§2896. Liability for damages

The owner of any swine who knowingly, willfully, or negligently permits his swine to run at large upon public property or upon the private property of another person shall be liable for any damage caused by such swine while running at large. The provisions of this section shall not apply in the Sabine River Swamp in ward 1 and all of ward 2 of Beauregard Parish, in the Little River area north of Catahoula Lake in Grant Parish and LaSalle Parish south of Highway 84, in wards 1, 2, 3, and 4 of LaSalle Parish, in that area of Allen Parish, ward 5, west of the Calcasieu River, in wards 1, 2, 3, 5, 6, and 8 of Vernon Parish, in the Catahoula Lake area of Catahoula Parish, and in the parishes of Winn, Union, St. Tammany, Livingston, St. Helena, Cameron, and Caldwell Parish, except wards 1, 2, 7, and 8 of Caldwell Parish, and state representative district 27, unless a referendum of the people is held to approve it.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Ellington

HB No. 606

Abstract: Removes certain exceptions to the prohibitions of swine running at large, seizure and impoundment, and liability for damages.

Present law provides that no person owning swine shall permit his swine to run at large on public or private property of another person except in certain wards, districts, and parishes of the state.

Proposed law removes the exceptions to swine running at large in certain wards, districts, and parishes of the state. Otherwise retains present law.

Present law provides for the seizure and impoundment, by certain persons, of swine found unaccompanied by its owner or keeper and running at large on public or private property of another person except in certain wards, districts, and parishes of the state. Further provides for proper notification of known owner of impounded swine.

Proposed law removes exceptions to seizure and impoundment of swine found unaccompanied by its owner or keeper and running at large on public or private property of another person in certain wards, districts, and parishes of the state. Otherwise retains present law.

Present law provides that the owner of any swine who permits his swine to run at large upon public property or private property of another person shall be liable for any damages caused by such swine while running at large. Further provides for exceptions to these provisions in certain wards, districts, and parishes of the state.

Proposed law removes exceptions in certain wards, districts, and parishes of the state to liability for damages caused by swine permitted to run at large by its owner on public property or private property of another. Otherwise retains present law.

(Amends R.S. 3:2891, 2892, and 2896)